G. R. S. 58]

Previous references.

1913-14.

(Genl. Dept.)

File No. 66 13

Serial Nos. 15 [illegible]

Later references.

CS 57-1X-1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 30 . 76

Part B for March 1914

SUBJECT.

Selection of Mr. D. Sen's candidature to the Indian Civil Service Sch A.

30. From the Excise Commr No 5009 d 10.11.13 forwards for favourable consideration a representation from the Divisional Superintendent of Excise offices, Kadiri &c on the matter of his promotion in the grade of Asst Commrs.

76. To the Commr of Excise Nos. G-7441 d 14.3.14 intg. the promotion of Mr. D. Sen to the selection grade of Asst Commrs, with effect from 1/3. From the Excise Commr — No 5009 d 14.3.14, forwards copy of above for information.

4PB—3,500—22-10-13

G.R.S. 11] 1913/14

GENERAL AND REVENUE SECRETARIAT.

(Gen I & C)

NOTES.

G I M File No.

FILE HEADING.

Appointments and promotions of IMSH &

From

H. Excise & Immigration

No. 5009 Dated 10-12-13 Received 16-12-13

D. No. 3961 | Enclos. 2 Spare Copies. - | Serial No. 10

BRIEF ABSTRACT OF LETTER.

Forwards for favourable consideration a representation from Mr D. Summerson Excise Officer, dated 5th inst. on the matter of promotion in the Excise Department.

NOTES AND ORDERS.

Submitted with the previous references.

GG 16-12-13.

Secy!

BK 17/12

NOTES—First Sheet.

GPB—35,000—15-6-12

G. R. S. 121

General and Revenue Secretariat. | File No. of 191 .

Serial No.

The facts of this case are fully set forth in the notes contained in the case's cover placed in file No 3712

R.

On the Triennial memorial submitted by Mr D Ramaraengar in Friday last the Dewan was pleased to

Q. direct the Engineer's orders about the officer were too recent (9th Aug 1912) to admit of any reconsideration in favour of his having rendered particularly efficient service since and that the Executive might be requested to send a special report about that officer's work after the expiry of six months.

The Executive Engr has now in forwarding Mr Ramaraengar's memorial endorsed his good opinion of his work expressed that Dept's Controlling Officer and recommended his prayer for favourable consideration & forwarded

Submitted for orders.

ES

17/12

2nd Connaught
v Dewan

I have seen the papers in the case

19/12

6768
20.12.13.

NOTE—Contn. sheet.

GPB 60,000-7.11.13.

G. R. S. 12}

General and Revenue Secretariat.

File No. 66 of 1913-14

Serial No.

Please circulate to 1st Councillor and bring up at the next Council meeting

7.4.14 CC

1st Councillor

23
5/7

13/4/14

C. Secretary
Note for meeting

23
15/7

3.2.14

GPB 60,000 7.11.13

GPB—1,000—

Extract from the Proceedings of the 312th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 4th February 1914.

1. Subject.—(Clause v of the Schedule).

Representation from Mr. D. Srinivasiengar, District Excise Officer, in the matter of his promotion in the cadre of Assistant Commissioners.

Opinion of the Council.

As Mr. D. Srinivasiengar is reported to have given satisfaction as District Excise Officer since he joined the Excise Department in July last, he may be promoted to the cadre of Assistant Commissioners with effect from 1st July 1913.

Sd/- M. Visvesvaraya.
Dewan of Mysore.

"Extract"

M Srinivasa Iyengar

Secretary to Government.

G. R. S. 12.

General and Revenue Secretariat.

File No. of 191 .

Serial No.

Submitted in the Enhancement proceedings and papers of Sirumani Nadar for perusal.

Dewan

7801
25.2.14

Note - Contn. sheet.

GPB —30,000. 7 11-13

Submitted to His Highness.

The accompanying file of papers relates to the representation of Mr. D. Srinivasiengar, District Excise Officer, Kadur District, in the matter of his promotion from the fifth to the fourth class of Assistant Commissioners, Schedule A.

2. Mr. D. Srinivasiengar was confirmed as Assistant Commissioner, fifth class, Schedule A, with effect from the 6th December 1908, and though, in the ordinary course, he would have been, after the expiry of two years, entitled to promotion to the next higher grade, it was not granted on account of the unfavourable reports of the officers under whom he served in the beginning of his official career.

3. When the question of his promotion last came up again before Government in July 1912, the Council recommended the promotion; but His Highness was not pleased to sanction the recommendation for reasons detailed in Mr. Campbell's letter dated 9th July 1912.

4. Mr. D. Srinivasiengar having in May 1913 prayed for a reconsideration of the order on the grounds that the unfavourable reports against him covered only a period of eight months in a total service of 9½ years and that even these reports did not condemn the work he actually did but only contained an expression of fears and doubts entertained by his superior officers about the manner in which he was likely to do certain work, I ordered that His Highness's orders stopping the promotion of the officer were too recent to admit of reconsideration without proof of his having rendered particularly efficient service since and that, as he had been just then posted to the Excise Department, the

Excise Commissioner might be requested to send up a special report about his work after the expiry of 6 months. The Excise Commissioner, in now forwarding another memorial received from Mr. D. Srinivasiengar through the Deputy Commissioner of Kadur, has expressed his agreement with the opinion of the Deputy Commissioner that the work of Mr. Srinivasiengar in the Excise Department has been satisfactory and that his prayer deserves the favourable consideration of Government.

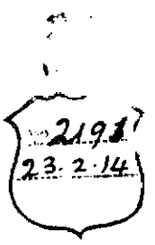
5. The question was considered at a meeting of the Council and the Council are unanimously of opinion that, as Mr. D. Srinivasiengar is reported to have given satisfaction as District Excise Officer since he joined the Excise Department in July last, he may be promoted to the fourth class of Assistant Commissioners with effect from 1st July 1913. The recommendation of the Council may be graciously approved.

M. Visvesvaraya
23rd Feb. 1914

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Promotion of Mr. D.Srinivasalengar, District Excise Officer, Kadur District, from the 5th to the 4th class of Assistant Commissioners, Schedule A, with effect from 1st July 1913.



Order.

G. R. S. 12

General and Revenue Secretariat. GM File No. 56 of 1913.14

Serial No.

Draft Notification [illegible]

H.M. 7/8/14. Secy)

7.8.14

[illegible]

7/8/14

76 [illegible]

[illegible]

[illegible]

[

No. 3009
Ex: 2

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

Bangalore, dated [illegible] 19[illegible].

FROM

DIARY No. 3981

[illegible], Kan., B.A.,
Excise Commissioner in Mysore.

To

[illegible] 19
ECTION
F.LE No.

V.P. Srinivasa [illegible], Sc., B.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

In forwarding herewith copies of letters [illegible],
[illegible] dated 4th July, from the Deputy Commissioner, Kadur District, and
[illegible] for the favourable consideration of Government,
I have the honour to state that though Mr. [illegible] is employed
in this Department only for a short time, he shows very [illegible] of
being a good Excise Officer. I agree with the Deputy Commissioner
that his post in this department in the Kadur District has been [illegible]-
-fication. His prayer deserves favourable consideration [illegible]-
-ment.

I have the honour to be,
Sir,
Your most obedient servant,

[illegible]
Excise Commissioner.

Letter No. 151, dated 1st December 1943, from the [illegible] Commissioner, Salem District, to the Excise Commissioner [illegible].

I have the honor to forward herewith a representation of Mr. C. Srinivasiengar, pleading for his promotions which [illegible] withheld under the orders of Government.

2. His case appears to me to be a very hard one and well deserves -ing of the sympathetic consideration of Government as it [illegible] to his misfortune than any real shortcomings on his part - because it would appear from his representations that the [illegible] who reported against him did not really mean what they [illegible].

3. In the case of such young officers, I may be permitted to point that it is the duty of their superior officers to point out their mistakes, if any, and correct them and give them all [illegible] and admonitions and train them up properly. But instead of doing this, if harsh and unsympathetic treatment is accorded to them at the very onset and they are severely punished for little [illegible], they naturally get disheartened and discouraged and their whole career and usefulness is thereby marred.

3. However, since his posting to this District, I have had personal experience and more especially since I have been carefully watching him and his work, that he is a very zealous and active Officer and takes a keen interest in his work. He has given me every satisfaction both by his conduct and by his work.

4. I consider him quite fit for any executive duty.

5. From his diaries and other correspondence relating to the Department which have been submitted to you from time to time, I am sure you would have formed by now, a correct estimate of his [illegible] intelligence and grasp of details and conscientious discharge of his duties and fully endorse the opinion I have formed of him.

6. In these circumstances, I request that you will be pleased to

to recommend his case for the just and gracious consideration of Government and obtain for him his promotions from their Lordships.

" Copy "

[signature]

Police Commissioner.

Letter dated 1st December 1913 from L. Srinivasiengar, Esq.,B.A.,
Excise Assistant Commissioner, Kadur District, to K. Krishna Iyer,Esq.
Deputy Commissioner, Kadur District.

I beg to enclose a representation regarding my promotion for your kind and sympathetic consideration.

2. The indefinite withholding of my promotions the strength of two alleged unfavourable reports which cover a short period of eight - - months (July 1910 to February 1911) and which were later on withdrawn or entirely modified by the reporting officers themselves has been a very great hardship to me - one which I felt and still feel all the more keenly on account of its unexpectedness; for neither of the Officers had given me the remotest indications of their disapproval of my work, let alone any actual rebuke or censure, which could have enabled me to know and rectify my errors, if any, at once.

3. In proof that the ill-fortune under which I am now toiling is unmerited, I may, amongst other things, cite the fact that my service in six different Districts, both prior and subsequent to the period in question, have been uniformly approved by my superior officers. I was recommended by Mr. Chengiah Chetty, Deputy Commissioner of the Chitaldrug District, for the charge of the Chitaldrug Sub-Division in 1909 - two years before Mr. Srinivasa Rao of Chenera felt doubts of my capacity for such work. And even the latter Officer who - - certainly did not begin with any particular bias towards me, found my work to be of such good quality that he was compelled, in fairness, to recommend me later on for the charge of both the Sub-Divisions of his District.

4. As Police Superintendent of Kolar, I had the full approval of Mr. C. Srikantesvara Aiyar, (the Deputy Commissioner of Kolar) in all I did, and there was not a single occasion on which I was censured, either by him, or by the Inspector General of Police (the late - - Mr. K. Devaraj Urs) for even trivial faults.

5. I have also good reasons to believe that both Messrs. B.J. Kumaraswami Naik and K. Chandy found my work to their entire satis-faction during the short period I worked under them in the Banga-lore District before I came here.

6. As regards my work under you, that is a subject on which you can speak with greater authority and weight than I can.

7. I request, in conclusion, that you will be so kind as to move the Excise Commissioner and the Government to sanction the promo-tions due to me, in case you think that I have earned them by my work.

" Copy "

Excise Commissioner.

M E M O .

I was one of the successful competitors in the Civil Service Examination of 1906, and was confirmed as Assistant Commissioner of the 5th Class, in December 1908.

2. In the usual course my promotion to the 4th Class was due in December 1910.

3. It has been witheld, according to the Government Order, on the strength of reports made by the Inspector-General of Police, in whose office I was for 5 months from July to December 1910; and by the Deputy Commissioner, Shimoga District, while proposing certain arrangements, very shortly after I had joined his District.

4. The other officers under whom I served have presumably approved of my services.

5. I understand that the Inspector-General of Police subsequently explained that the report construed as unfavourable to me was made in a special context, and was not meant to be taken as condemnatory of my work, since I had been given no chance of doing any work in his office and that he merely recommended my transfer to the Revenue Department, as there was no opening for me in his Department and as he thought me unsuited for Police work by reason of my then indifferent health.

6. As a set-off against this qualified and attenuated "disapproval," there is the fact that I was in independent Police charge of the Kolar District for nearly 5 months (February to July 1910) not only without unfavourable remarks (*e. g.* on my weekly Diaries) by the Inspector-General of Police, but with the positive approbation of the Deputy Commissioner of that District, who is now the Inspector-General of Police. This shows that the subsequent disclaimer by the Inspector-General of Police was not meant as a mere personal favour to me, but was the real explanation of what was inadvertently taken out of its context, and therefore seemed to mean more than was intended.

7. That condemnation of my work was not the intended gist of his report is further apparent from a consideration of the undermentioned facts :—

(*a*) The Inspector-General of Police does not seem to have reported my services as otherwise than approved in his periodical reports for the year 1910.

(*b*) I applied, in September 1910, to the Inspector-General of Police to get me posted to a District, as I had been under training in his office sufficiently long, and had not much work to do. Upon this, the Inspector-General stated that I had 8 months' training in the Police Department, that I *had been able to know the nature of the work in it* and that I might be transferred to the Revenue Department, as I had no opportunity for a District charge in his Department. This shows that I was learning the work for which I had been attached to his office (*vide* Letter No. 3033-132, dated 14th September 1910, from the Inspector-General of Police to the Secretary to Government, forwarding my application.)

(c) The Inspector General forwarded my application (dated 5th December 1910) for promotion, to the Secretary without any adverse remarks, merely stating that I was learning work in his office.

8. If the Inspector General intended to condemn me, he would hardly have written what he did, in these two instances. Instead, he would have expressly stated that I had no inclination to learn work nor the capacity to do it.

9. So far regarding the Inspector-General's report. I will now turn to the second count against me, *viz.*, the report of the Deputy Commissioner, Shimoga District. It may, however, be noted, to begin with, that this report relates to a period *subsequent* to that for which the promotion would be due.

10. The Deputy Commissioner was proposing an officer for the Sagar Sub-Division, then believed to be in a bad state, about March 1911. He had not then known my work for more than three months, and judging *a priori* from my inexperience of Revenue Sub-Division work, he seems to have expressed a fear that my transfer to Sagar would not improve matters there. The very same officer recommended me for charge of Sagar and Shimoga Sub-Divisions on subsequent occasions, and he used to entrust important and responsible District work to me. His evident and express approval of the way in which I did this work indicates that, with better acquaintance, he realised that his first fears were groundless. His subsequent favourable reports were the real expression of his deliberate opinion formed on a full knowledge of my capacity for work; and this mature opinion of his is also in accord with the opinion of the Deputy Commissioner, Chitaldrug District, who had recommended me for the charge of the Chitaldrug Sub-Division so far back as 1909, when I was serving in that District.

11. The first report of the Deputy Commissioner of Shimoga was thus an expression of diffidence rather than of condemnation. He felt doubts of my capacity for Revenue work, not because I was doing my work at the Treasury badly, but because I had not done Revenue work before. It was too early for him to judge my capacity fully in so short a period as three months. That he had no complaint to make regarding my Treasury work, he has himself stated in the letter forwarding my representation (May 1911). Nor did I give room for any dissatisfaction on the two occasions (August 1911 and March-April 1912 respectively) when I *was actually put* in charge of Sagar and Shimoga Sub-Divisions.

12. It is true that I occasionally suffered from malaria and headache in the year 1910 while at Bangalore, but I am now quite free from it, and believe myself to possess the health and stamina necessary for any executive work. I have been in the Malnad climate of Shimoga for the past two years and three months and I am none the worse for it. I have undergone more than one Medical Examination at various times (*e. g.*, by the Civil Service Medical Board,) and I have been pronounced free from all constitutional defects.

13. Under Government Pro. No. G. 1691-731 G. M. 128-09-1, dated 16th September 1909, "copies of unfavourable reports are to be furnished to the officer reported against, to enable him both to remedy the defect noticed and to remove by suitable explanation any unfavourable impression formed without adequate grounds," and "an entry that this has been done should be made at the foot of the report." If the Inspector-General of Police and the Deputy Commissioner, Shimoga District, had meant their reports as condemnatory of my work, it is inconceivable that they would have set at naught the express provisions of this Government Order and refrained from giving me copies of their reports. The plain

inference would seem to follow from this, that what they intended their reports to convey is precisely also what the context points to,—*viz.*, that they are expressions of doubt or fear and not judgments passed upon my work. The services I *actually* rendered not having been disapproved, I respectfully urge that I am entitled to my grade promotion, under the Civil Service Rules of 1906.

14. To sum up, my case in brief is that :—

(a) I have been condemned and denied my promotion on the strength of certain reports, without having been given an opportunity for explanation.

(b) These reports *do not condemn any work I actually did*, but are merely expressive of fears and doubts entertained by the reporting officers regarding the manner in which *I am likely to do certain work* ; in other words, *I was not tried and found wanting, in the work for which it was feared I would not do* ; on the other hand, on the few occasions when I *was given* such work, I did it quite as well as other officers.

(c) The said reports have been taken as their final word on the subject, in spite of subsequent disclaimers and good reports by the officers themselves ;

(d) The reports cover a period of only 8 months in a total service of nearly 7~~8~~½ years, the rest of which is all approved.

15. In the light of these facts it is seen that I have earned my promotion and I pray that the same may be graciously sanctioned by the Government of His Highness the Maharaja.

Chikmagalur,
1st Dec. 1913.

D. Srinivasa Iyengar
Assistant Commissioner
(Excise Department)

Vokkaligara Sangha Press, Bangalore City.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

76

Notification

Mr. D. Srinivasiengar Bot, District Excise Officer, Kadur Dt., is promoted from the 5th to the 4th class of Rs 55th Scale, Schedule A, with effect from the 1st July 1913.

By order,

To The Compiler, Mysore, with the Establishment

Memo No. D.

Copy of the above is forwarded to the Excise Court with reference to his letter No. 5004 D. 10/3/14

By order,

S/D